

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
6730.008.NPUS01

First named inventor: DANNIELSSON, Mats

Application No.: 09/683,769

Art Unit: 2855

Filed: December 12, 2002

Examiner: NOORI, Max H.

Title: COLLIMATOR ARRANGEMENT

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1,540.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Amendment -Transmittal - Return Postcard (identify type of reply):

- ☒ has been filed previously on January 20, 2004.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/Tracy W. Druce/

Signature

October 10, 2007

Date

Tracy W. Druce

Typed or printed name

35,493

Registration Number, if applicable

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Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300._____
October 10, 2007

Date

/Rose Marie Henderson/

Signature

Rose Marie Henderson (Via: E-File)

Typed or printed name of person signing certificate

Applicant: Mats DANIELSSON et al. Date: 01/20/2004
Filed: 02/12/2002
SN: 08/683,769 Docket No. 08730.0008.NPUS01
For: COLLIMATOR ARRANGEMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
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Return to: Daniel Hernandez

Applicant: Mats DANIELSSON et al. Date: 01/20/2004
Filed: 02/12/2002
SN: 08/683,769 Docket No. 08730.0008.NPUS01
For: COLLIMATOR ARRANGEMENT

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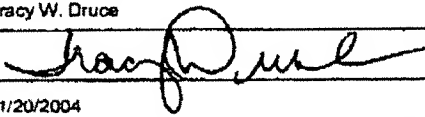
Approved for use through 10/31/2002. OMB 0651-0031


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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/683,769
	Filing Date	12/12/2002
	First Named Inventor	DANIELSSON
	Group Art Unit	2855
	Examiner Name	NOORI
Total Number of Pages in This Submission	Attorney Docket Number	06730.0008.NPUS01

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Proposed Amended Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Request for Declaration/Power of Attorney <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	HOWREY SIMON ARNOLD & WHITE, LLP Tracy W. Druce
	
Date	01/20/2004

CERTIFICATE OF HAND DELIVERY	
I hereby certify that this correspondence is being delivered to the United States Patent and Trademark Office, Alexandria, VA 22313-1450 on: <u>20 JAN 2004</u> .	
Typed or printed name	Tracy W. Druce
Signature	
Date	01/20/2004

Serial No.: 09/683,769
Confirmation No.: 7865
Applicant: DANIELSSON, Mats *et al.*
Atty. Ref.: 06730.0008.NPUS01

AMENDMENT TO THE TITLE:

Please amend the title of the invention as follows:

TWO POSITION COLLIMATOR ARRANGEMENT

AMENDMENTS TO THE CLAIMS:

Please amend the claims as follows:

1. (Currently Amended) A beam collimator arrangement for scanned-slot mammography ~~having comprising at least one collimator or several collimators~~ in an x-ray apparatus, said arrangement comprising:

an x-ray source;

an x-ray image receiver positioned to receive x-rays from the x-ray source;

a compressor for compressing a female breast to be examined, said compressor being positionable between the x-ray source and the x-ray image receiver; and

a said beam collimator positioned between the x-ray source and the means compressor for compressing tissue, wherein said beam collimator arrangement is being arranged on a carrying structure to that displaces displace the beam collimator arrangement between a first position when no x-ray exposure is conducted and a second position before x-ray exposure is initiated, and wherein said first position is vertically and horizontally displaced with respect to the second position.

2. (Currently Amended) The beam collimator arrangement of claim 1, wherein said second position is within a substantially short distance from said compressor.

3. (Currently Amended) The beam collimator arrangement of claim 1, wherein said ~~displacement is in the lateral direction~~ first position is located vertically above the second position.

Serial No.: 09/683,769

Confirmation No.: 7865

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4. (Cancelled)

5. (Cancelled)

6. (Currently Amended) A mammography apparatus comprising:

an X-ray source;

an X-ray image receiver positioned to receive X-rays from the X-ray source;

first and second means for compressing tissue, the means being positionable between the X-ray source and the X-ray image receiver and wherein the means further providing a compression surface of predetermined dimensions;

a beam collimator positioned between the X-ray source and the means for compressing tissue; characterized in that said apparatus further comprises means for displacing said beam collimator arrangement to displace the beam collimator arrangement between a first position when no x-ray exposure is conducted and a second position before x-ray exposure is initiated and that the first position is vertically and horizontally displaced with respect to said second position.

Serial No.: 09/683,769

Confirmation No.: 7865

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REMARKS:**REMARKS REGARDING CLAIM AMENDMENTS AND EXAMINER'S REJECTIONS:**

Claims 1-3 and 6 have been amended and claims 4 and 5 cancelled.

IN RESPONSE TO THE OFFICE ACTION:**FIRST REJECTION UNDER 35 U.S.C. § 103:**

Claims 1-6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Gur *et al.* (US 4203037) in view of Edic *et al.* (US 6175609).

Applicants request that the Examiner reconsider and withdraw the above rejection of the claims in view of the following:

Both independent claims 1 and 6 have been amended to clarify that the displacement of the beam collimator arrangement between the first and second positions is both vertical and horizontal (i.e. at least two dimensional). It is clear that Gur '037 (see especially Figs. 1 and 1a) has two collimator means 10 and 12 that longitudinally translate together (i.e. in one dimension only). Moreover, there is no teaching, suggestion or disclosure supporting the combination of Gur '037 with any reference that would include both vertical and horizontal motion.

A similar finding is made in Edic *et al.* '609 where one dimensional collimator movement is disclosed at col. 2, lines 33-52:

Collimator 76 is configured to move relative to detector array 74 and includes a collimator plate 84 fabricated from x-ray attenuating material and having a plurality of slits, or openings, 86 therein. . . Collimator plate 84 is movable in the z-direction between first and second positions. Collimator manipulator 110 is configured (for example, with electromechanical devices such as motors coupled to drive the collimator plate along tracks aligned with collimator plate axis 130) between a first position 10, a plurality of intermediate positions 15 (illustrated in FIG. 3 as a region in which the collimator plate 84 at least partially overlies the detector array 74), and a second position 20.

Serial No.: 09/683,769

Confirmation No.: 7865

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Therefore, in view of the descriptions found in both Gur ' 037 and Edic *et al.* '609 there is no disclosure, teaching or suggestion either singly, or in combination, of a vertically and horizontally displaced collimator as presently claimed.

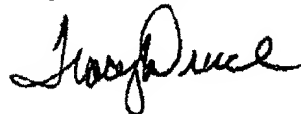
Given the above, Applicant requests that the rejection of claims 1-3 and 6 under 35 U.S.C. §103(a) be reconsidered and withdrawn and that the Examiner indicate the allowance of the claims in the next paper from the Office.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 08-3038, referencing Order No. 06730.0008.NPUS01.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,



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